

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>P2011PC00</b>	<b>FOR FURTHER ACTION</b> see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. <b>PCT/DK2005/000027</b>	International filing date (day/month/year) <b>17/01/2005</b>	(Earliest) Priority Date (day/month/year) <b>16/01/2004</b>
Applicant  <b>CHR. HANSEN A/S</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 7 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☒ **Certain claims were found unsearchable** (See Box II).

3. ☐ **Unity of invention is lacking** (see Box III).

**4. With regard to the title,**

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

**5. With regard to the abstract,**

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

**6. With regard to the drawings,**

- a. the figure of the **drawings** to be published with the abstract is Figure No. 13

☐ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☒ as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/DK2005/000027

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 G01N21/78 G01N21/25 G01N21/27 G01N33/04

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 G01N B01L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	EP 0 301 699 A (UNIV UTAH) 1 February 1989 (1989-02-01) cited in the application  column 11, line 1 - line 8 column 11, line 49 - column 12, line 5 column 12, line 18 - line 19 figure 1  ----- -/--	1-15, 17-20, 24-26, 28-33, 43,45



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

## \* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

28 April 2005

Date of mailing of the international search report

10/05/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Verdoodt, E

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2001/039032 A1 (HYMAN JONES M ET AL) 8 November 2001 (2001-11-08)	40, 41, 44
Y	paragraphs '0042! - '0044!  paragraphs '0060! - '0072! paragraphs '0096!, '0097! paragraph '0170! paragraph '0175!	1-15, 17-20, 24-26, 28-33, 43, 45
A	----- E.A. DU TOIT, M.RAUTENBACH: "A sensitive standardised micro-gel well diffusion assay for the determination of antimicrobial activity" JOURNAL OF MICROBIOLOGICAL METHODS, vol. 42, 2000, pages 159-165, XP002302943 abstract figure 4	34-38, 42
A	----- US 4 252 897 A (JACOB JACOB P ET AL) 24 February 1981 (1981-02-24)  the whole document	1-15, 17-20, 24-26, 28-33, 40, 41, 43-45
A	----- WO 00/01842 A (MORIS VARAS FRANCISCO ; THERMOGEN INC (US)) 13 January 2000 (2000-01-13)  claims 1, 14	1-15, 17-20, 24-26, 28-33, 40, 41, 43-45
A	----- US 4 812 392 A (MIYAKE SHINICHI ET AL) 14 March 1989 (1989-03-14)  abstract	1-15, 17-20, 24-26, 28-33, 40, 41, 43-45
A	----- DE 197 39 120 A (UNIV SCHILLER JENA) 11 March 1999 (1999-03-11)  the whole document	1-15, 17-20, 24-26, 28-33, 40, 41, 43-45
	----- -/--	

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/DK2005/000027

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>WO 94/03791 A (MOLECULAR DEVICES CORP ; HAFEMAN DEAN G (US); CRAWFORD KIMBERLY L (US)) 17 February 1994 (1994-02-17)</p> <p>the whole document -----</p>	<p>1-15, 17-20, 24-26, 28-33, 40,41, 43-45</p>

**FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210**

Continuation of Box II.1

Claims Nos.: 16,21-23,27,39

Claims 16, 21-23 and 27 relate to subject-matter considered by this Authority to be covered by the provisions of Rule 39.1(v) PCT. Claim 39 contains references to the description and the drawings. According to Rule 6.2(a) PCT, claims should not contain such references except where absolutely necessary, which is not the case here.

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/DK2005/000027

## Box II Observations where certain claims were found unsearchable (Continuation of Item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 16, 21-23, 27, 39  
because they relate to subject matter not required to be searched by this Authority, namely:  
see FURTHER INFORMATION sheet PCT/ISA/210
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of Item 3 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/DK2005/000027

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 0301699	A	01-02-1989	EP 0301699 A2	01-02-1989
US 2001039032	A1	08-11-2001	US 6251624 B1	26-06-2001
			US 6153400 A	28-11-2000
			AU 5615300 A	19-02-2001
			CA 2380027 A1	08-02-2001
			EP 1198587 A1	24-04-2002
			JP 2003505106 T	12-02-2003
			WO 0109371 A1	08-02-2001
			AU 766292 B2	16-10-2003
			AU 3872000 A	04-10-2000
			CA 2365232 A1	21-09-2000
			EP 1163362 A1	19-12-2001
			JP 2002538833 T	19-11-2002
			WO 0055357 A1	21-09-2000
US 4252897	A	24-02-1981	DE 2917180 A1	08-11-1979
			FR 2424961 A1	30-11-1979
			GB 2030174 A	02-04-1980
			JP 55007090 A	18-01-1980
			NL 7903359 A	06-11-1979
WO 0001842	A	13-01-2000	AU 5092499 A	24-01-2000
			CA 2332638 A1	13-01-2000
			EP 1095163 A2	02-05-2001
			WO 0001842 A2	13-01-2000
US 4812392	A	14-03-1989	JP 2088703 C	02-09-1996
			JP 7114691 B	13-12-1995
			JP 61152282 A	10-07-1986
			JP 2033367 C	19-03-1996
			JP 7028720 B	05-04-1995
			JP 61152273 A	10-07-1986
			DE 3568999 D1	27-04-1989
			EP 0189599 A1	06-08-1986
DE 19739120	A	11-03-1999	DE 19739120 A1	11-03-1999
WO 9403791	A	17-02-1994	AU 4995493 A	03-03-1994
			WO 9403791 A1	17-02-1994